



**UNITED STATES DEPARTMENT OF COMMERCE**  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER  
NGUYEN, S

ART UNIT  
2731

PAPER NUMBER

DATE MAILED: 03/03/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Advisory Action

Application No.

09/041,534

Applicant(s)

Short et al

Examiner

Steven Nguyen

Group Art Unit

2731



THE PERIOD FOR RESPONSE: [check only a) or b)]

- a) ☐ expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

- ☐ Appellant's Brief is due two months from the date of the Notice of Appeal filed on \_\_\_\_\_ (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

**Applicant's response to the final rejection, filed on Feb 29, 2000 has been considered with the following effect, but is NOT deemed to place the application in condition for allowance:**

☒ The proposed amendment(s):

☐ will be entered upon filing of a Notice of Appeal and an Appeal Brief.

☒ will not be entered because:

- ☒ they raise new issues that would require further consideration and/or search. (See note below).
- ☐ they raise the issue of new matter. (See note below).
- ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
- ☐ they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: the newly added and deleted limitation has altered the scope of the claims. Therefore, it requires further search and/or consideration (see attached)

- ☐ Applicant's response has overcome the following rejection(s):

- ☐ Newly proposed or amended claims \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

- ☐ The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because:

- ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

- ☒ For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: \_\_\_\_\_

Claims objected to: \_\_\_\_\_

Claims rejected: 1-18, 20-27, and 31-71

- ☐ The proposed drawing correction filed on \_\_\_\_\_ ☐ has ☐ has not been approved by the Examiner.

- ☐ Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

- ☐ Other

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## **DETAILED ACTION**

### ***Response to Amendment***

1. The supplemental amendment filed on December 2, 1999 and the hand filed IDS on 11/2/1999 are not received and recorded on the application file wrapper. It is requested that the applicant resubmit the copy of Supplemental Amendment and the above IDS together with all the references cited therein. Any inconvenience in this matter is greatly regretted.

### ***Response to Arguments***

2. Applicant's arguments filed 2/29/2000 have been fully considered but they are not persuasive.

In Response to 35 USC & 132:

Claim 1-54, the newly added or deleted limitation of claims has altered the scope of the claim; therefore, it required further consideration and/or search.

Claim 58 and 67, the applicant states that at page 20, lines 20-28, discloses a step of determining if a DHCP server is unavailable at foreign network. However, the examiner disagrees with the applicant because at page 20, lines 20-28 do not disclose a step determining if a DHCP server is unavailable. Furthermore, Nomadic router intercepts a DHCP requested message and reply DHCP reply message. So a Nomadic router is a DHCP server because it receives DHCP message.

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In response to Evegant is not properly for prior art because the examiner searches for prior arts which used to reject the claimed invention. As the applicant known any references which is public before the filing date of the application is a prior art. The RFC 1631 which is public on May 1994. Therefore, it is a proper prior art.

Regarding claim 1, 17-18, 20-21, 26-27, 31-34, and 65-66, Li and Evegant fail to disclose a step of intercepting a data packet to determining network setting. However, the examiner disagrees with the applicant because When a packet receives at input ports such as first and second interface, a translator will intercept the data packet to determining the network setting such as the source/destination addresses to perform translation according to the source/destination addresses for example a translator will intercept any data packet at ports for determining if the destination/source addresses are compatible for transmitting on the foreign network or not. If not, it will perform translation and if the address is compatible with foreign network, the translator will not perform translation. Furthermore, the applicant states that at col 9. Lines 19-25 of Li discloses before an Internet access device configure itself "automatic configure", the customer and ISP communicates with each other to determine a level of service. The applicant misunderstands this statement because any business which would like to access internet, obtain a range of IP number from ISP so that it can be recognized by a internet. This procedure always occurs via a telephone. After obtaining an IP address, an internet access device (Fig 5-6) will configure itself.

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Regarding claims 45-49 and 53-54, the applicant states that Li fails to disclose a storage medium having a computer program (See fig 5, ref 120 and Fig 6 is a software architecture for executing in the internet access device).

Regarding claims 55 and 69-70, Li discloses an internet access device which allows user to connecting to any internet as discloses in Evegang.

Regarding claim 65, the applicant states that Li fails to disclose a translator which intercepts the data packet from a user which connected to the first LAN to determining if the address of a data packet is compatible with the second network. However, the examiner disagrees with the applicant because Li discloses a internet access device "translator" which allow a user to communicate with another local area network via internet to access E-mail etc . . . (See col 4, lines 5-65, the LANs is joined to form a internet; See Evegant).

Regarding claims 67-68, Li discloses an internet access device which has DHCP software in its to intercept and assign an IP to a user device. So the network does not have DHCP Server.

Regarding claims 6-8, 11-15, 22-25, 36-37, 40-42, 50-52, 56-57 and 71, the teaching of Li, Evegang, Norris, Mayes, compliment and Perskin perform the claimed invention as disclosed in office action which mails on 2/1/00.

Therefore, the rejection maintains.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Nguyen whose telephone number is (703) 308-8848. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

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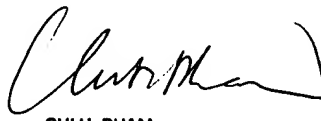
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (703) 305-4378.

The fax phone number for this group is (703) 305-3988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Steven Nguyen  
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March 2, 2000

  
CHI H. PHAM  
SUPERVISORY PATENT EXAMINER  
GROUP 2700 3/2/00